

**ACTIONS**  
**Board of Supervisors Meeting of December 7, 2011**

December 13, 2011

<u>AGENDA ITEM/ACTION</u>	<u>ASSIGNMENT</u>
<p>1. Call to Order.</p> <ul style="list-style-type: none"> <li>Meeting was called to order at 9:02 a.m. by the Chair, Ms. Mallek. All BOS members were present. Also present were Tom Foley, Larry Davis, Ella Jordan and Meagan Hoy.</li> </ul>	
<p>4. Adoption of Final Agenda.</p> <ul style="list-style-type: none"> <li><b>ACCEPTED.</b></li> </ul>	
<p>5. <del>Recognitions.</del>  Removed from agenda.</p>	
<p>6. From the Public: Matters Not Listed for Public Hearing on the Agenda.</p> <ul style="list-style-type: none"> <li><u>The following individuals spoke in support of the Crozet Library:</u> <ul style="list-style-type: none"> <li>Douglas Forrester</li> <li>Karl Pomeroy</li> <li>Phil Best</li> <li>Alex Gianitsaris</li> <li>Jane Kulow</li> <li>Renate Weber</li> </ul> </li> <li><u>George Larie</u> spoke about the Route 29 Bypass.</li> <li><u>Timothy Hulbert</u> spoke in support of opening the County's portion of the Meadow Creek Parkway and in support of the CACVB retaining its accumulated fund balance.</li> <li><u>Ryan Hubbard</u> presented resolution from CACVB regarding its accumulated fund balance.</li> <li><u>Daniel Bowman</u> spoke about the Route 29 Bypass.</li> <li><u>Ann Taylor</u> spoke in support of CACVB plan for use of accumulated fund balance.</li> <li><u>Charles Batting</u> spoke about LCAPP and climate change.</li> </ul>	
<p>7.2 FY 2012 Budget Amendment and Appropriations.</p> <ul style="list-style-type: none"> <li><b>APPROVED</b> the budget amendment in the amount of \$179,325.81 and <b>APPROVED</b> Appropriation #2012040, #2012041, #2012042, #2012043 and #2012044.</li> </ul>	<p><u>Clerk:</u> Forward copy of signed appropriations to OMB, Finance and other appropriate individuals.</p>
<p>7.3 WPO-2008-00079, WPO-2010-00052 and WPO-2010-00066 (Moores Creek Treatment Plant); WPO-2008-00080 (Pavilions at Pantops Phase 3) – Request to extend deadline for installing permanent vegetation.</p> <ul style="list-style-type: none"> <li><b>APPROVED</b> the RWSA's request to extend the deadline for installing permanent vegetation for the Moores Creek Wastewater Treatment Plant project until</li> </ul>	<p><u>Glenn Brooks:</u> Proceed as approved.</p>

	<p>January 31, 2013 with no other conditions; and</p> <ul style="list-style-type: none"> <li>• <b>APPROVED</b> CEVA Contractors, Inc.'s request to extend the deadline for installing permanent vegetation for the Pavilion at Pantops Phase 3 project until April 30, 2012 with no other conditions.</li> </ul>	
7.4	<p>Fiscal Year 2012 County of Albemarle &amp; State Health Department Local Government Agreement.</p> <ul style="list-style-type: none"> <li>• <b>APPROVED</b> the Fiscal Year 2012 County of Albemarle &amp; State Health Department Local Government Agreement and that <b>AUTHORIZED</b> the County Executive to execute that Agreement</li> </ul>	<p><u>Bryan Elliott</u>: Forward signed agreement to Health Department and provide Clerk's office with fully executed copy of agreement.</p>
	<p><b>NonAgenda.</b> At 9:50 a.m., the Board took a recess and reconvened at 10:07 a.m.</p>	
8.	<p><b>Pb. Hrg: AFD-2011-00006.</b> Addition of the following parcel(s) to the <b><u>Sugar Hollow Agricultural and Forestal District.</u></b></p>	<p><u>Clerk</u>: Forward copy of ordinance to Community Development and County Attorney's office (Attachment 1) Prepare letter for Chair's signature.</p>
9.	<p><b>Pb. Hrg: AFD-2011-00007.</b> Creation of the <b><u>Glen Oaks Agricultural and Forestal District.</u></b></p>	
10.	<p><b>Pb. Hrg: AFD-2011-00008.</b> Addition of the following parcel(s) to the <b><u>Keswick Agricultural and Forestal District.</u></b></p>	
11.	<p><b>Pb. Hrg: AFD-2011-00009.</b> Addition of the following parcel to the <b><u>Blue Run Agricultural and Forestal District.</u></b></p>	
12.	<p><b>Pb. Hrg: AFD-2011-00010.</b> Addition of the following parcel to the <b><u>Bucks Elbow Mountain Agricultural and Forestal District.</u></b></p> <ul style="list-style-type: none"> <li>• <b>ADOPTED</b>, by a vote of 6:0, the attached ordinance.</li> </ul>	
13.	<p>WPO-2007-00104 (Hyland Ridge Subdivision) – Request to extend deadline for installing permanent vegetation.</p> <ul style="list-style-type: none"> <li>• <b>APPROVED</b>, by a vote of 6:0, extending the installation of permanent vegetation in Hyland Ridge Subdivision until April 1, 2012 subject to four conditions.</li> </ul>	<p><u>Clerk</u>: Set out four conditions (Attachment 2) <u>Glenn Brooks</u>: Proceed as approved.</p>
14.	<p>Opening of the County's Portion of the Meadow Creek Parkway.</p> <ul style="list-style-type: none"> <li>• <b>ADOPTED</b>, by a vote of 6:0, the attached resolution.</li> </ul>	<p><u>Clerk</u>: Forward copy of resolution to VDoT officials, Community Development and County Attorney's office (Attachment 3)</p>
15.	<p>Fire Services Agreement Between the City of Charlottesville and Albemarle County.</p> <ul style="list-style-type: none"> <li>• <b>APPROVED</b>, by a vote of 6:0, giving notice to the City to extend the fire services agreement through June 29, 2013, to terminate the fire services agreement effective at midnight on June 29, 2013, and to direct staff to work with City fire staff to plan and implement an automatic aid agreement to be effective upon termination of the fire services agreement.</li> </ul>	<p><u>Dan Eggleston</u>: Proceed as approved.</p>
16.	<p>Wireless Policy/Regulations Update.</p> <ul style="list-style-type: none"> <li>• <b>AUTHORIZED</b>, by a vote of 6:0, appropriating an amount up to \$12,000</li> </ul>	<p><u>Mark Graham/Bill Fritz</u>: Proceed as approved.</p>

	<p>from the Board's Reserve Fund to proceed with Task 2 per the draft proposal.</p> <ul style="list-style-type: none"> <li>• Mr. Snow asked that staff also look into facilitating cell/internet service throughout the County.</li> </ul>	
17.	<p>Closed Session.</p> <ul style="list-style-type: none"> <li>• At 12:18 p.m., the Board went into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia under subsection (1) to consider appointments to boards, committees and commissions; under subsection (3) to discuss the sale of publicly held property; and under subsection (7) to consult with legal counsel and staff regarding matters of pending litigation.</li> </ul>	
18.	<p>Certified Closed Meeting.</p> <ul style="list-style-type: none"> <li>• At 1:54 p.m., the Board reconvened into open meeting and certified the closed meeting.</li> </ul>	
19.	<p>Boards and Commissions: Appointments.</p> <ul style="list-style-type: none"> <li>• <b>APPOINTED</b> Ronald Cottrell to the Pantops Community Advisory Council with said term to expire June 20, 2013.</li> </ul>	<p><u>Clerk</u>: Prepare appointment/reappointment letters, update Boards and Commissions book, webpage, and notify appropriate persons.</p>
20a.	<p>JAUNT: Presentation of 2011 Annual Report.</p> <ul style="list-style-type: none"> <li>• <b>RECEIVED.</b></li> </ul>	
20b.	<p>JAUNT: FY12 Supplemental Funding Request.</p> <ul style="list-style-type: none"> <li>• <b>AUTHORIZED</b>, by a vote of 6:0, the appropriation of \$58,000 from its Reserve for Contingencies Fund to supplement its FY2012 funding to JAUNT by approving the budget amendment in the amount of \$58,000.00 and approving Appropriation #2012045. (This appropriation is for the anticipated County share of JAUNT's budget shortfall in the current year due to escalating fuel costs.)</li> <li>• <b>CONSENSUS</b> of the Board to request that JAUNT build its FY2013 funding request based upon increasing fares in the rural area by \$1.00 and instituting a charge of \$0.50 per trip to JABA sites.</li> </ul>	<p><u>Clerk</u>: Forward copy of signed appropriations to OMB, Finance, and other appropriate individuals.</p> <p><u>OMB</u>: Proceed as directed by Board.</p>
21.	<p>Cate Wyatt, President of the Journey Through Hallowed Ground.</p> <ul style="list-style-type: none"> <li>• <b>RECEIVED.</b></li> </ul>	
	<p><b>NonAgenda.</b> At 3:06 p.m., the Board took a recess and reconvened at 3:15 p.m.</p>	
22.	<p><b>Work Session:</b> Five Year Financial Plan.</p> <ul style="list-style-type: none"> <li>• <b>HELD.</b></li> <li>• <b>AUTHORIZED</b>, by a vote of 6:0, the County to proceed to bid the Crozet Library Project for construction.</li> </ul>	<p><u>Clerk</u>: Schedule continuation of work session on December 14, 2011.</p>
23.	<p>From the Board: Matters Not Listed on the Agenda.</p> <ul style="list-style-type: none"> <li>• There were none.</li> </ul>	
24.	<p>Adjourn to December 14, 2011, 4:00 p.m., Room 241.</p>	

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| <ul style="list-style-type: none"><li>• The meeting was adjourned at 4:53 p.m.</li></ul> |  |
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ewj/mrh

Attachment 1 – AFDs Ordinance

Attachment 2 – WPO-2007-00104 (Hyland Ridge Subdivision) conditions of approval

Attachment 3 – Meadow Creek Parkway Resolution

**ORDINANCE NO. 11-03(4)**

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 3, AGRICULTURAL AND FORESTAL DISTRICTS, ARTICLE II, DISTRICTS OF STATEWIDE SIGNIFICANCE, DIVISION 2, DISTRICTS, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA.

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 3, Agricultural and Forestal Districts, Article II, Districts of Statewide Significance, Division 2, Districts, of the Code of the County of Albemarle, Virginia, is hereby amended and reordained as follows:

**By Amending:**

- 3-208 Blue Run Agricultural and Forestal District
- 3-209.5 Buck’s Elbow Mountain Agricultural and Forestal District
- 3-219 Keswick Agricultural and Forestal District
- 3-226 Sugar Hollow Agricultural and Forestal District

**By Adding:**

- 3-213.5 Glen Oaks Agricultural and Forestal District

**CHAPTER 3. AGRICULTURAL AND FORESTAL DISTRICTS  
DIVISION 2. DISTRICTS**

**Sec. 3-208 Blue Run Agricultural and Forestal District.**

The district known as the "Blue Run Agricultural and Forestal District" consists of the following described properties: Tax map 22, parcel 10; tax map 35, parcels 22, 23, 24A, 26, 26B, 26B1, 26C, 26D, 28A, 29, 31, 32A, 41A, 41E, 43; tax map 36, parcels 6A, 9, 20; tax map 49, parcels 4A1, 4A5, 24, 24A, 24B; tax map 50, parcels 5, 5B, 32A, 41A, 41Q, 42A, 42A1, 43, 45B, 47, 47A, 47B; tax map 51, parcels 13, 14. This district, created on June 18, 1986 for not more than 8 years, since amended at its last review on July 10, 2002 to continue for not more than 10 years, shall next be reviewed prior to July 10, 2012.

(5-11-94; 7-13-94; 4-12-95; Code 1988, § 2.1-4(d); Ord. 98-A(1), 8-5-98; Ord. 01-3(3), 8-8-01; Ord. 02-3(3), 7-10-02; Ord. 09-3(4), 12-2-09; Ord. 10-3(3), 12-1-10; Ord. 11-3(2), 7-6-11; Ord. 11-3(4), 12-7-11)

**Sec. 3-209.5 Buck’s Elbow Mountain Agricultural and Forestal District.**

The district known as the “Buck’s Elbow Mountain Agricultural and Forestal District” consists of the following described properties: Tax map 25, parcel 1; tax map 38, parcels 4, 7, 8, 10, 20; tax map 39, parcels 1, 1D, 1F, 1F1, 1G, 2B, 8, 10A, 21Q, 21R, 21Z. This district, created on December 2, 2009 for not more than 10 years, shall next be reviewed prior to December 2, 2019.

(Ord. 09-3(4), 12-2-09; Ord. 10-3(3), 12-1-10; Ord. 11-3(2), 7-6-11; Ord. 11-3(4), 12-7-11)

**Sec. 3-213.5 Glen Oaks Agricultural and Forestal District.**

The district known as the “Glen Oaks Mountain Agricultural and Forestal District” consists of the following described properties: Tax map 94, parcels 15A1, 15A2. This district, created on December 7, 2011 for not more than 10 years, shall next be reviewed prior to December 7, 2021.

(Ord. 11-3(4), 12-7-11)

**Sec. 3-219 Keswick Agricultural and Forestal District.**

The district known as the "Keswick Agricultural and Forestal District" consists of the following described properties: Tax map 48, parcels 30, 30A, 30B, 30C, 30D, 30E; tax map 63, parcels 39, 39A, 40, 42A; tax map 64, parcels 5, 7, 7A, 8A, 9, 10 10A, 10B, 10C, 10D, 11 12, 13, 13A, 14; tax map 65, parcels 13, 31C1, 31C3, 31D, 32; tax map 79, parcel 46; tax map 80, parcels 1, 2, 2A, 2C, 3A, 3A1, 3G, 3H, 3I, 4, 61D, 88, 114A, 115,

164, 169, 169A, 169C, 169C1, 174, 176, 176A, 182, 182A, 183, 183A, 190, 192, 194; tax map 81, parcels 1, 8A, 15A6, 15B, 63, 74, 79. This district, created on September 3, 1986 for not more than 10 years and last reviewed on November 3, 2004, shall next be reviewed prior to November 3, 2014.

(10-12-94; 4-12-95; 8-13-97; Code 1988, § 2.1-4(e); Ord. 98-A(1), 8-5-98; Ord. 04-3(3), 11-3-04; Ord. 09-3(4), 12-2-09; Ord. 10-3(3), 12-1-10; Ord. 11-3(4), 12-7-11)

**Sec. 3-226 Sugar Hollow Agricultural and Forestal District.**

The district known as the "Sugar Hollow Agricultural and Forestal District" consists of the following described properties: Tax map 25, parcels 11C, 12, 13, 14, 14A, 14B, 14C, 18, 18A, 18B, 21, 21A, 24, 25, 26, 27, 28; tax map 26, parcels 5A, 10, 10B, 10D, 10F, 10G, 11C, 11D, 12A, 13, 14F, 19, 40B, 40C, 41A, 52, 52D; tax map 27, parcels 8, 8E (part), 24A, 25, 26; tax map 39, parcels 2, 2A, 3, 4, 13C3, 14, 15, 25, 25A; tax map 40, parcels 1, 9, 9C, 9D (part), 9E, 10, 10A, 10B, 10C, 22, 22A, 27A, 46C1, 49. This district, created on September 6, 1989 for not more than 10 years and last reviewed on December 2, 2009, shall next be reviewed prior to December 2, 2019.

(11-17-93; Code 1988, § 2.1-4(q); Ord. 98-A(1), 8-5-98; Ord. 99-3(5), 10-6-99; Ord. 02-3(1), 1-9-02; Ord. 02-3(2), 4-3-02; Ord. 09-3(4), 12-2-09; Ord. 10-3(3), 12-1-10; Ord. 11-3(4), 12-7-11)

**WPO-2007-00104 (Hyland Ridge Subdivision)  
Conditions of Approval**

1. The installation of all required permanent vegetation shall be completed by not later than April 1, 2012.
2. No grading material shall be imported or exported to or from the site without prior approval by the Program Authority, upon a demonstration by the Owner that there is a demonstrated site related need to do so.
3. The Owner's Responsible Land Disturber shall conduct weekly inspections and inspections within 24 hours following measurable precipitation. The Owner's Responsible Land Disturber shall submit an inspection report after each inspection to the Program Authority within seven days after each inspection. The inspection report shall contain the information required by the Program Authority.
4. All grading on the site shall not begin before 8:00 a.m. and shall end on or before 6:00 p.m. each day, Monday through Friday. No grading on the site shall occur on Saturdays and Sundays.

**RESOLUTION TO REQUEST THE OPENING OF  
THE MEADOW CREEK PARKWAY**

**WHEREAS**, the construction of the County's portion of the Meadow Creek Parkway has been completed at a cost of approximately thirty-two million dollars (\$32,000,000), and is ready to be opened for the benefit of the traveling public; and

**WHEREAS**, this road has been identified as a priority project in the County for over forty years and is a key element of a successfully functioning road network for the greater community; and

**WHEREAS**, the current temporary traffic signal at the entrance to Dunlora necessitated by the closure of Meadow Creek Parkway is causing both inconvenience and a potential safety hazard by creating a traffic backup during peak travel times; and

**WHEREAS**, the construction of the Treesdale apartments and other planned and current development along Rio Road will continue to exacerbate this traffic congestion; and

**WHEREAS**, opening the parkway will provide local residents with access to the forty acre park and pedestrian/bike trail system linking the City and the County which are valuable and important amenities that are currently not able to be utilized; and

**WHEREAS**, leaving the road dormant for additional time now that it is complete will lead to its deterioration over time resulting in the need for additional maintenance and repair at taxpayer expense; and

**WHEREAS**, the timely opening of this needed road will be in the best interest of the public health, safety and welfare.

**NOW, THEREFORE, BE IT RESOLVED** that the Albemarle County Board of Supervisors does hereby request that the Virginia Department of Transportation open the County's portion of the Meadow Creek Parkway to the public as soon as it is safe to travel.